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federation, the book is one of the best that we have on the British colonies. Indeed there is hardly any book which approaches it in its treatment of the legal conditions in colonial Britain. It is accordingly of value, not only to students of general political science, to whom the phenomenon of the development of a new state will be a most welcome object of study, but also to students in the narrower field of colonial problems, who can hardly fail to be enlightened by a consideration, based on the investigation of the most recent pertinent facts, of the British methods of solving these problems.

F. J. GOODNOW.

Der Bundesstaatsbegriff in den Vereinigten Staaten von Amerika,
von ihrer Unabhängigkeit bis zum Kompromiss von 1850. Von
ERNST MOLL. Zürich, Schulthess und Co., 1905.—209 pp.

This is a study in American constitutional law by a German scholar, consisting mainly of a review of the early theories concerning the nature of the federal union. Although brief in its compass it is done with characteristic German thoroughness, and shows evidence of wide research and a familiarity with the literature of American constitutional law rarely found in foreign treatises on American history and political institutions. It is remarkably free from the errors which often characterize the attempts of European writers to explain the constitutional relations between the union and the individual states. For these qualities it deserves high praise, although it is hardly entitled to be ranked as a distinct contribution to the subject with which it deals. It is rather a systematic presentation of the opinions of the "fathers" and of the decisions of the supreme court under the domination of Marshall, than an independent treatise on the nature of the federal union.

The author begins his study with a brief discussion of the relation between Great Britain and the American colonies, the relation of the colonies to one another and the nature of the confederation. He then reviews the origin of the constitution and explains the nature of the federal system of government created by it, giving particular emphasis to the relation of the federal and state courts, the rules of constitutional interpretation, the power of the supreme court to declare statutes unconstitutional and the right of appeal. Under the head of "Constitutional Theories" he deals mainly with the question of the location of sovereignty, basing his discussion primarily on the opinions of Madison and Hamilton, whose contributions to the *Federalist* are thoroughly

examined. He criticises Madison's theory of divided sovereignty and points out the true doctrine, that sovereignty is not divided between the national and state governments but is supreme over each (p. 71). Likewise the views of Jay, Wilson and Jefferson are reviewed at length, the doctrine of the Kentucky and Virginia resolutions is expounded, and the separatist movement in New England culminating in the Hartford convention is traced from its inception in 1804. The doctrine of Marshall and the "Massachusetts school" represented by Webster is compared with that of the "Virginia school" represented by Henry, Mason, Randolph and the two St. George Tuckers, the "precursors" of Calhoun, whose political philosophy constitutes the final chapter of the monograph. About one-half of the work is given up to critical and bibliographical notes. Apparently nothing of value in the immense mass of literature relating to the subject has escaped the author's notice.

J. W. GARNER.

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Les droits législatifs du président des États-Unis d'Amérique.

By HENRI BOSCH. Paris, A. Rousseau, 1906.—viii, 284 pp.

No one who has followed closely the course of Congressional legislation in recent years can be ignorant of the increasing activity and influence of the president in this field. This careful analysis of the legislative powers of the president comes therefore at an opportune moment; and the fact that the author is a foreign student of American institutions helps to free the work from any political bias.

In two respects, however, the conditions under which the book has been prepared and published prevent it from being an entirely adequate discussion. It is obvious that the writer has not had the advantage of personal observation and investigation in this country, but has had to depend on materials available on the other side of the Atlantic, supplemented by some correspondence with Americans. And the date of publication, at the beginning of the present year, precedes the exciting and significant events of the last session of Congress. Nevertheless it is a valuable study of the situation up to the time of its publication, and shows clearly the tendencies of which later events have been but further developments.

The work falls into three main divisions. An introduction considers the principle of the separation of the powers of government, with special reference to the constitutional powers of the president and the dis-